

ARIZONA CITIZEN.

VOL. 1.

TUCSON, PINA CO., A. T., SATURDAY, DECEMBER 3, 1870.

NO. 3.

THE ARIZONA CITIZEN.

PUBLISHED EVERY SATURDAY AT
TUCSON, PINA COUNTY, A. T.

SUBSCRIPTION RATES:
One Copy, one year, \$5.00.
One Copy, six months, 3.00.
Single numbers, 25.

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CONFISCATION CASES.

In the months of May and June, 1864, there were six suits commenced in the District court of Pima county, in the First Judicial District, against the property of the following persons, to-wit: Charles Lauer, F. A. Neville, Alfred Frear, Granville H. Oury, Palatine Robinson and Elias Brevoort.

These suits were commenced in the name of the United States, to confiscate the property of the above-named persons, on the charge that they were engaged in waging war against the government of the United States, and were therefore in rebellion to said government.

The power of Congress to pass confiscation laws is derived from Sec. 3, of Article 3, of the Constitution of the United States, which is as follows:

"Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted."

In pursuance of this provision of the Constitution, Congress passed a law approved August 6, 1861, authorizing the confiscation of all property used in aiding insurrection and rebellion, and providing the mode of proceeding in confiscation suits.

The Act of Congress approved July 17th, 1862, provided for the confiscation of all property of persons giving aid and comfort to the rebellion.

These proceedings were instituted by Almon Gage, Esq., United States District Attorney of Arizona Territory, who came to the Territory in December, A. D. 1863. Mr. Gage established himself in the Prescott country, and learning that a term of the District court of the First Judicial District had been appointed to be held at Tucson, commencing on the last Tuesday of May, 1864, he in company with Levi Bashford, Esq., then the Surveyor General of the Territory, whose office had been located at Tucson, started for this place with a mule each, with no other persons with them. The Indian signs were numerous everywhere.

After passing Sacaton station, instead of continuing on the road to Tucson, they took the left hand road to Ft. Breckenridge, now Camp Grant. After going on this road to near the Fort, and seeing Indian signs everywhere, and at night seeing the Indian camp fires. They made a hasty retreat on their back track, being satisfied they were on the wrong road. In the meantime, the friends of the parties at Tucson feeling that there was something wrong because they had not arrived here, procured an escort from Lt. Col. Coult, then in command of the post at this place, and started in pursuit of the parties, and were greatly delighted in finding them at the Point of the Mountain, worn out with fatigue in running the gauntlet with the Apaches.

Mr. Gage arrived at Tucson a few days before the commencement of the court, and at once commenced business by bringing these suits.

Orders of publications were procured to get service on the defendants, as they were not in the Territory, and personal service could be had on them of the papers in said suits. Thereupon Mr. Gage returned to Prescott delighted with the prospect of early disposing of these cases and putting "money in his purse" in the shape of fees.

On the 11th of June, 1864, Judge Howell returned to his home in Michigan, with the expectation of returning in the fall of that year to this Territory, but he never did return.

In the spring of 1865, Mr. Gage expecting that Judge Howell would return in time to hold the April term of the court at Tucson, started in high glee for this place, but on arriving at Salt river, he found the water very high, and in attempting to cross that stream the wagon in which he was riding, drawn by eight mules, was carried down the river. Mr. Gage, however, safely returned to the same side of the river from which he had started. The wagon and mules were taken down the river, and the mules drowned. The "carpet bag" in which were copies of all the papers and laborious briefs in these cases, were carried down the stream and never recovered.

Mr. Gage never thereafter attempted to cross Salt river, but wrote to his friends in Tucson the most doleful accounts of his exploits and "hair-breadth" escapes from the raging Salinas.

There were no courts at which these cases could be tried until the arrival of Judge Backus to hold the spring term of 1866.

Judge Backus, however, declined to hear the cases because the United States was not represented, there being no United States District Attorney, Mr. Gage having resigned.

There was no person that would accept the appointment of United States District Attorney until the spring of 1869, when Mr. Rowell was appointed to that office. These cases continued on the court docket.

On the 21st instant, the Hon. Colos Bashford appearing for persons who had purchased various parcels of this property, moved the court that these cases be stricken from the calendar, and that the defendants have judgment as in case of non-suit, and read in support of the motion, the proclamation of the President of the United States of July 4, 1863, the conclusion of which is as follows:

"Now, therefore, be it known that I, Andrew Johnson, President of the United States, do by virtue of the constitution, and in the name of the people of the United States, hereby proclaim and declare unconditionally, and without reservation to all and to every person who directly or indirectly participated in the late insurrection or rebellion, excepting such person or persons as may be under presentment or indictment in any court of the United States having competent jurisdiction, upon a charge of treason or other felony, a full pardon and amnesty for the offenses of treason against the United States, or of adhering to their enemies during the late civil war, with restoration of all rights of property, except as to slaves, and except also as to any property of which any person may have been legally divested under the laws of the United States."

After hearing James E. McCaffry, Esq., Assistant United States District Attorney, upon the questions involved in the case, the presiding judge of the court, Chief Justice Titus, granted the motion of Mr. Bashford in a brief but clear statement of his views of the case.

Judgment of discontinuance has been granted therefore of these suits, but without costs against the United States.

At last these familiar cases have been disposed of.

It is with pleasure we receive The Daily Post and The New Mexican as exchanges. On Sunday last, we received two days later news by them than by any other source.

The Daily Los Angeles Star comes to us as an exchange. It is well filled with dispatches, local and other news. We recommend it to the attention of those wanting a good daily in Southern California.

Interesting Letter from Prescott.

Prescott, A. T.,
Nov. 15, '70.

EDITOR CITIZEN:—Now that election is over, quiet is restored, and we have time to look around a little, and write letters that are not entirely of a political character, though as we are yet ignorant of the result of the contest, except in this county, our attention is occupied considerably with discussing the events of the campaign, and speculations concerning the vote in different parts of the Territory.

The fight in this county was the most bitter, earnest and exciting of any election held since the organization of the Territory, and as Prescott is the largest settlement in the county, of course here was the centre of the war. The Democratic chief, P. R. Brady, came here, and made his last and greatest efforts, and was here on the day of election. Probably no man in Arizonan political races has ever been worse deceived in regard to the state of the track than he was. He stated, after hearing from the votes cast at the precincts of Prescott, Big Bug, Aqua Fria, Walnut Grove, Williamson Valley, Quartz Mountain Saw mill, Kirkland Valley, Granite Creek, Chino Valley and Verde, which gave him 56 majority over McCormick, that he had expected the majority to be 250, that his friends had so represented the prospects to him, and that they were evidently not well posted. He calculated on getting 300 majority at least in Yavapai county. Returns from every precinct but one, which though not official, are doubtless nearly or quite correct, show a majority for Brady of 126. The vote of Yavapai in '63 was 619, and McCormick got 202. This year the vote so far as heard from is 1112, and Brady gets a majority of only 126, or three-fourths of the majority Rush got two years ago.

This is very satisfactory to McCormick's friends, and we hope will prove so to him. It shows that his efforts have been appreciated, and that in spite of the assertions and lies published in The Miner, the intelligent voters of old Yavapai have not been deceived concerning the activity, energy and desire to serve his constituents, displayed in Washington, both in and out of Congress, by Governor McCormick, our delegate for two years ending March 1st, 1871, now re-elected for two years from that date. The People's ticket was defeated, and we had but little reason to expect its success. There was no organization of a People's party, and as our convention was held Oct. 22d, only 3 weeks before the day of election, there was barely time to get the tickets printed and sent to the different precincts in the county. The very liberal support given to the ticket shows that there is a warm feeling in the community in favor of nominations outside of party lines, and encourages us to believe that if the central committee appointed by convention, is active and faithful in its labors until our next general election, we may reasonably hope to elect our whole ticket. E. W. Wells, who was endorsed by the People's convention, started as an independent candidate for county recorder, and was the only county officer on our ticket who was elected except those who were nominated by the Democrats and endorsed by our convention.

Other items of interest are not plenty at this time. Mr. Eilers, the U. S. Commissioner on mines, has been here and gone. He went through the mining districts of the Sierra Prieta range in company with men who knew the country, and was very much

pleased with what he saw, and will give a good report of the land and the opportunities for prospectively profitable investment of capital in our mines.

As usual at this time of year, the majority of the votes, only merits the contempt of honest men, while it excites the laughter of Brady's backers, who brought men to vote who had barely time to shake the dust of Mexico from their feet, and when their votes were challenged, urged them to perjure themselves. Well, we have the pleasure of knowing that their (the Bradyites) villainous schemes were unsuccessful, and that they are doomed to sail on that river, "whose waters are bitter to the taste," (the political "Rio Sala," while the Hon. R. C. McCormick represents the people of Arizona at Washington.

Everything goes along very nicely here. The farmers are busily engaged harvesting their corn, which will be about an average crop. From the present indications, there will be a large amount of land put under cultivation the coming season, and the chances are that there will be plenty of grain raised.

Captain Netterville, commandant at Camp Grant, is in town this morning. He brought with him a party to assist in chalking out a road to the new post in the Final mountains. It is to be hoped that this post, right in the heart of the Apache country, will have a good effect on the savages.

I saw some of the ore brought from the new mining country, (only a few lucky ones know where it is), smelted in a crucible. It is very rich in silver and copper, and the locators of the thing see big money in it. More anon. ADAMSVILLE.

McCormick in Colorado.

Every delegate to Congress, save Colorado's past members, have succeeded in getting aid for their constituents in the shape of camps, forts, and funds. Mr. McCormick, the member of Congress from Arizona, as lately as July 11, made an able speech in the House of Representatives, when the Indian appropriation bill was under consideration, in which he boldly spoke of the trouble that his Territory has had to encounter from the Indians, of the great odds against which the settlers had to contend; of the ferocity of the Indians; and of the absolute necessity of better protection for life and property. He plead for troops in his section of country, not to kill Indians as he cutely remarked, but "to prevent white men, women and children from being killed, or their property being stolen away from them." This is the kind of member we want for Congress from Colorado.—Rocky Mountain Herald, Sept. 9.

The Miner seems determined to continue its falsehoods as vigorously since as before election. The substantial people generally of Yavapai understand its spirit. It might as well own up that its present disappointment and vicious disposition were the results of taking bad instead of good counsel. The editor may have heard about the blind leading the blind and where they fell, and, if so, can easily make the application.

The San Diego Union, of Nov. 24, says "a dispatch was yesterday received from San Francisco by Pauly & Sons, stating that the committee of the Chamber of Commerce of that city, on the Fort Yuma Road, were now ready to commence operations, and asking that our representative come on at once to co-operate with the Committee. Accordingly Mr. Pauly, senior, leaves to-day by the Orizaba for that purpose."

The best way to make good coffee is to go to hotels, restaurants, railroad eating-houses, etc., and ascertain just how they make coffee, then make it as they don't.